

ABORIGINALS BENEFIT ACCOUNT Grant Funding

Application Kit

Instructions for submitting applications for the August 2019 ABA Grant Funding round

This document is known as an application kit and provides guidance for applicants applying for grant funding under the Aboriginals' Benefit Account (ABA) grant funding round.

This application kit provides key information to assist applicants to complete the application form and should be read in conjunction with the Aboriginals Benefit Account Section 64(4) Beneficial Grant Guidelines, also known as the ABA Beneficial Grant Guidelines.

An Application Form, budget template and draft Grant Agreement template can be found on www.grants.gov.au and the Department of Prime Minister and Cabinet's (the Department) website (<https://www.pmc.gov.au/indigenous-affairs/grants-and-funding/aboriginal-benefit-account-aba-grant-funding>).

The Department may amend this application kit from time to time and will provide reasonable notice of these amendments.

Applications Open and Close:

Applications open on 1 July 2019.

Applications close 4:30 PM Northern Territory time on 23 August 2019.

Submission Details:

It is strongly recommended that potential applicants discuss proposals with the Department's ABA Team located in Darwin or one of the Department's Regional Network offices in the early stages of development and before preparing an application.

Enquiries

The ABA Team can be contacted on 1800 354 612 and aba@network.pmc.gov.au, or you can arrange to meet them at their office in Jacana House 39-41 Woods Street Darwin.

The Department's Regional Network has offices and staff located in regional centres and communities across the NT. These staff can provide you with assistance with your application. To find your nearest office talk to the ABA Team or call 1800 079 098.

A list of offices in Regional Centres is provided below:

| Region | Location | Switchboard |
|----------------------|--|--------------|
| Alice Springs | Supreme Court House Level 3, 14 Parsons Street ALICE SPRINGS NT 0870 | 08 8958 4200 |
| Katherine | Randazzo Building, Level 1, 14 Katherine Terrace KATHERINE NT 0850 | 08 7978 2000 |
| Nhulunbuy | 74 Chesterfield Street NHULUNBUY NT 0881 | 08 8968 8400 |
| Tennant Creek | 1-9 Paterson Street TENNANT CREEK NT 0861 | 08 7978 1900 |

PART A – GENERAL INFORMATION FOR APPLICANTS

A1 Funding for the grant funding process

The Aboriginals Benefit Account (ABA) forms part of arrangements under the Aboriginal Land Rights (Northern Territory) Act 1976, also known as the ALRA. The ABA receives monies from the Commonwealth based on the value of royalties generated from mining on Aboriginal land in the Northern Territory (NT).

Up to \$30 million per financial year of the ABA is set aside to fund one-off projects that will benefit Aboriginal people in the NT. This funding is delivered through the ABA Beneficial Grants Programme and is managed by the Department.

A2 Grant funding

This grant funding will be made available through a targeted selection process.

All proposals must be for the benefit of Aboriginal residents of the NT.

Applications that support participation of Aboriginal controlled organisations based in the NT will be looked upon favourably.

Applications that support employment of Indigenous Australians will be looked upon favourably.

For example, applications in which the project is to be delivered by an Aboriginal controlled organisation from the NT and in which all funded staff positions are Indigenous will be looked upon favourably.

Activities that should be funded through mainstream funding, such as government funding, are not eligible.

Proposals relating to business investment need to verify their financial viability by obtaining Indigenous Business Australia's (IBA) independent opinion.

Land acquisition proposals are required to consult with the Indigenous Land and Sea Corporation (ILSC).

A3 Funding objectives

The ABA beneficial grant funding is delivered through four broad categories, being:

- a. Supporting Enterprises
- b. Supporting Community
- c. Supporting Culture, Language and Leadership
- d. Supporting Land, Sea and Waters Management and Use

Each application will be requested to nominate which category best reflects their application.

A4 What can be funded?

One off projects that are for the benefit of Aboriginal residents of the NT.

The types of proposals that may be funded include:

- Business applications that IBA believe are viable.
- Business applications which are further enhanced by applicants demonstrating commitment through co-contribution.
- Applicants that can demonstrate their ability to deliver their proposal.
- Projects that demonstrate they are not the responsibility of mainstream funding.
- Applications that promote employment of Indigenous Australians.
- Applications that promote participation of Aboriginal controlled organisations.

It is important to note that funding is not guaranteed and will be subject to the outcomes of the assessment process.

A5 What cannot be funded?

- Projects that don't have an end date.
- Proposals that do not benefit Aboriginal residents of the NT.

The types of proposals that may not be funded include:

- Proposals that don't clearly address the selection criteria.
- Services and capital works that should be delivered via existing government funding.
- Business proposals that cannot demonstrate viability.
- Pilot projects that do not demonstrate a pathway to transition to a programme if successful.
- Non-Indigenous positions and consultancies.

- Sole traders that propose to purchase significant assets but do not address how the asset will be managed post project or in the event of project failure.
- Applications that cannot demonstrate support from those who are intended to benefit.
- Research and conferences that are not linked to tangible outcomes for Indigenous people living in the NT.

PART B – APPLYING FOR FUNDING

B1 Discuss the proposal with the Department

It is strongly recommended that all potential applicants discuss proposals with either the ABA Team in Darwin or the local Regional Network office before preparing an application. It is important to note that an initial discussion with the Department regarding a proposal is not considered an application for funding.

The contact details of the ABA Team and or the local Regional Network office are provided in the section above.

B2 Who can apply for funding?

Applicants must meet all eligibility criteria outlined in the ABA Beneficial Grant Guidelines and documented in the relevant sections of the application form.

Eligibility

- Applicants must have an ABN and be registered for GST.
- Applicants cannot be:
 - a. Bankrupt or subject to insolvency proceedings.
 - b. Non-compliant with the Workplace Gender Equity Act 2012.
 - c. An unincorporated association.
- Applicants must have full legal capacity to enter into an agreement with the Commonwealth.

Additional information

ABA funding looks favourably upon employment of Indigenous Australians and/or funding Aboriginal controlled organisations that are based in the NT.

Note: this is an organisation that satisfies the Indigeneity requirement under Section 29-5 of the CATSI Act being:

- Corporations with five (5) or more members – at least 51 per cent of their members must be Aboriginal or Torres Strait Islander people.
- Corporations with two (2) to four (4) members – all but one of their members must be Aboriginal and/ or Torres Strait Islander people.
- Corporations with one (1) member – that member must be an Aboriginal and/ or Torres Strait Islander person.

- Individuals (sole traders) can apply for ABA funding, with preference being given to Indigenous applicants.
- State and Territory Governments are ineligible to apply for the August 2019 round of funding, however applicants may apply for funding for a project to be implemented in partnership with Government.
- If an organisation has previously received ABA beneficial grant funding it is advisable that they do not have any outstanding acquittals.
- The Department may take into account any previous or current non-compliance with any Commonwealth of Australia agreements.
- Applicants requesting more than \$499,999 in a financial year are required to be either incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act) or the *Corporations Act 2001* (Corporations Act). If an applicant is not registered under either act, they will be required to register within six month of entering into a funding agreement with the Commonwealth.

B3 Applications from consortia

If an applicant submits an application on behalf of a group of organisations (consortium) the application must include a letter of support from each participating organisation (apart from the lead applicant) involved in the activity. Each letter of agreement must include:

1. The role of the organisation and an overview of how it will work with the lead applicant and any other consortia members to support the successful completion of the activity.
2. An outline of the relevant experience and/or expertise the participating organisation will bring to the consortia.
3. The roles and responsibilities of the organisation proposed in the activity, and the resources it will contribute (if any).

B4 Selection Criteria

Eligible applicants must address the assessment criteria to be considered for grant funding. This application kit is also intended to assist you to understand and respond to the criteria that have been developed.

In the application form, applicants will be asked to make statements against criteria of:

1. Benefits to Aboriginal people in the NT as a result of the proposal.

Demonstrate how the proposal will:

- Achieve benefits.
- Identify what these benefits will be.
- How these benefits will be measured and sustained over time.
- Where appropriate, how the application will:

- Create Indigenous jobs.
- Assist jobs seekers.
- Ensure children attend school.
- Address community safety

2. The need for the proposal within Aboriginal community/communities. Note - the term 'community' is used in the broad sense to mean a group of Aboriginal people living within a particular local area in the NT.

Demonstrate the need for the proposal within Aboriginal community/communities in the NT and consider the following and provide supporting documentation:

- Key stakeholders have been identified and consulted – note confirming that the proposals is not the responsibility of mainstream funders can form part of the consultation.
- The proposal is achievable, viable, costed and planned; and

3. Capacity to deliver the Proposal

Demonstrate that the applicant organisation has:

- Capacity to successfully implement the proposal, including experience in delivering similar proposals and staff capability.
- Ability to manage risks and monitor performance.
- The connection and support from the community or individuals who are intended to benefit.

For large proposals (over \$250,000) additional demonstration of capacity will be required through:

A. Project Management Plan: The level of detail provided in the project management plan depends on the complexity of the project. Project management plans should be adequate for the effective implementation of the project, with the level of detail matching complexity of the project. A detailed project management plan for a complex project would include:

- the budget for the life of the proposal (in the template provided by the Department)
- project timeline
- risk assessment with mitigation strategies
- performance framework showing how the proposal will be monitored
- cost benefit analysis
- stakeholder consultation plan

Note: For the August 2019 business applicants over \$250,000 that submit a business plan are provided an exemption from submitting a Project Management Plan.

- B. Business Plan: Applicants wishing to submit business proposals that request funding of over \$250,000 must submit a business plan.

Note:

- a. Applicants under \$250,000 are provided an exemption for submitting a business plan for the August 2019 round.
- b. Applicants over \$250,000 that submit a business plan are exempt from submitting a Project Management Plan.

The detail of the business plan depends on the level of detail required to demonstrate the viability of the proposal and to effectively manage the proposal if funded. At a minimum, business plans must include an assessment of the risks associated with the proposal and an approach to managing grant funding for the life of the Agreement.

The business plan will also need to cover actual and predicted revenue. To predict the revenue an analyses on demand for the business may be required. This may require market or customer analysis.

Business proposals must submit their predicted revenue to IBA so they can assess the viability of the proposal. See section B6 for more information on engaging IBA.

B5 Financial and corporate viability information

Applicants that do not have a current Funding Agreement with the Department must demonstrate financial viability. This may be provided through a mix of audited financial statements and/or evidence of viability (for example, a certified statement from an approved person).

B6 Completing an application

Applications for funding must be submitted using the application form available on <https://www.pmc.gov.au/indigenous-affairs/grants-and-funding/aboriginal-benefit-account-aba-grant-funding> whilst the round of grant funding is open.

All applicants should pay attention to the closing time.

Each project requires a separate application for funding. The success or otherwise of an applicant's funding application will not influence the assessment of any other application from the same applicant. Every application for funding is assessed on its own merits.

The following supporting documentation may be required to support an application:

Financial viability: Applicants that do not have a current Funding Agreement with the Department must demonstrate financial viability. Guidance is provided in section B5 above.

Governance arrangements:

Indigenous Business Australia (IBA) form: If an applicant's proposal relates to business investment then they are required to consult with IBA and complete the form located on the ABA Beneficial grants [web page](#) for submission with the application. This process will provide an independent opinion on the viability of your proposal. It will also give you a chance to discuss [IBA's](#) suite of supports for Indigenous business.

Indigenous Land and Sea Corporation (ILSC) form: If an applicant's proposal relates to land acquisition or management, or agriculture, then they are required to consult with ILSC and complete the form located on the ABA Beneficial grants [web page](#) for submission with the application. This process will provide an independent opinion on the proposal and will also give an opportunity to discuss the [ILSC's](#) suite of supports.

Land tenure through leasing: For proposals that relate to developing assets on Aboriginal land, such as land covered by the ALRA, a formal form of tenure should be obtained, such as section 19 lease under the ALRA. You should work with your local Land Council to obtain tenure and your proposal should either confirm the lease is in place or where your application is in the process of securing a lease.

Quotes: If an applicant's proposal includes the purchase of equipment then they are required to provide quotes with their application. The quotes must not be more than 12 months old.

Stakeholders: Applications are greatly strengthened by letters of support from stakeholders such as those that will benefit from the project. Applicants may also consider using letters from mainstream funding bodies to demonstrate that your project isn't their responsibility.

Project Management Plan: Refer to the advice in the section B4 above.

Business Plan: Refer to the advice in the section B4 above.

The size limit: for each application is 10MB. There is also a 2MB size limit for each attachment. The Department's information technology system is not capable of receiving applications that exceed 10MB and any applications above this limit will not be received.

Where the inclusion of supporting documentation leads to an application exceeding the 10MB limit, applicants may send two unbound copies of the supporting documentation to:

ABA Grant Funding
Department of the Prime Minister and Cabinet
PO Box 6500
Canberra ACT 2600

When sending ensure that you:

1. Post prior to the round closing.
2. Inform the ABA Team that you have posted the attachments. They can be contacted on 1800 354 612 and aba@network.pmc.gov.au.

Budget template: Applicants are required to use the budget template which is available on the [GrantConnect](#). The ABA [web page](#) can direct you to the Grant Connect page. ABA Beneficial Grant funding has several costs that are ineligible for funding and these are outlined in the template and summarised below.

Ineligible activities have costs that:

- Displace commercial operations (e.g. anti-competitive activities);
- Seek funding for investment purposes;
- Should be funded from other sources, including mainstream government funding;
- Are recurrent (i.e. costs associated with the continuing operations of an activity);
- Not directly and specifically related to the activity (e.g. ongoing staff wages, rent, administrative costs of the applicant's existing operations);
- Cover interstate travel and associated costs except where specifically approved for the activity by the Delegate at the time of assessment;
- Overseas travel not agreed by the Delegate except for grant funding provided under the Supporting Culture, Language and Leadership funding category;
- Staff relocation costs;
- Are incurred in preparing or before an application is approved;
- Salaries/wages/consultancy fees for non-Indigenous staff that are not approved by the delegate at the time of reviewing the application; note the preference is for 100 per cent Indigenous employment.
- Debt financing; or
- Operational or capital expenditure for the four Northern Territory Land Councils

The application form allows contributions from other sources and co-contributions from the applicant to be presented. It is important to note that Business applications are enhanced by applicants demonstrating commitment through co-contribution.

Costing in kind (e.g. labour) to the project can also enhance a proposal by demonstrating a commitment by the applicant.

B7 How to submit an application

The application form is available on the ABA Beneficial Grant Funding [web page](#). The application form is only available on the web page as long as the round of grant funding is open.

Those who cannot access the application form should contact the ABA Team to discuss alternative options. The team's contact details are 1800 354 612 and aba@network.pmc.gov.au.

It is the responsibility of the applicant to ensure that their application is complete and accurate. Giving false or misleading information to the Department is a serious offence; applicants who do so may be prosecuted under section 137.1 of the *Criminal Code Act 1995* (Cth).

Before submitting an application form, applicants are encouraged to complete the Checklist at Part E of this application kit. The checklist will assist applicants with the completion of their application. The checklist does not need to be submitted with the application.

Where the Department finds an application is incomplete, the Department may provide the applicant with an opportunity to rectify and resubmit the application.

If an applicant discovers an error in their application after submitting it, they should inform the ABA Team immediately.

It is recommended that applicants retain a copy of their application for their records.

After submitting an application a confirmation receipt will be sent to the applicant. If a confirmation receipt is not received after submitting an application, please contact the ABA Team.

B8 Late applications

Applications need to be submitted prior to the closing time on the closing date.

The Department reserves the right to not accept late applications. In considering whether it will accept a late application, the Department will take into account the degree of lateness, whether the cause of the lateness was beyond the applicant's control and other facts it considers relevant. The Department may also ask the applicant to provide evidence to support its claims.

PART C - HOW WILL THE APPLICATIONS BE ASSESSED?

C1 Assessment panels

The Department will initially screen applications to ensure applicants meet the eligibility and basic application requirements.

Assessment panels will be established by the Department and include Departmental staff with relevant knowledge of the issues and outcomes associated with the proposed project.

The assessment panel will assess all applications against the relevant assessment criteria in the Guidelines. All applications will be assessed to ensure they deliver value for money.

Assessment panels may seek expert advice from outside of the Department when assessing applications.

To maintain probity staff involved in developing proposals with applicants will not be involved in assessing the application.

The Department will then provide the results of its assessment to the ABA Advisory Committee (ABAAC) for their consideration.

ABAAC are an Aboriginal committee that consists of a Chair appointed by the Minister and members nominated by each land council from across the NT. ABAAC will assess applications and provide advice to the Minister. A list of ABAAC members is provided on the ABA [web page](#).

The Minister for Indigenous Affairs is the decision maker for ABA Grant Funding and considers the advice of ABAAC when deciding which applications will proceed to negotiating a funding agreement with the Department.

It is envisaged that the assessment process of an ABA Grant Funding round will take 14 weeks from a round closing to the outcome being announced.

C2 Decision on applications

Following the assessment of an application, a recommendation will be provided to the delegate (the Minister for Indigenous Affairs) on the merits of the application. The final decision about the approval to proceed to negotiating a funding agreement will be made by the delegate.

The delegate will consider whether the proposal will make an efficient, effective, ethical and economical use of the Aboriginals Benefit Account when deciding if an application will proceed to negotiating a funding agreement.

If an application is successful, the Department will work with the applicant to negotiate the details of the activities and tailor these to meet community needs. As a result there may be

a period of negotiation between an offer being made to an applicant and a Project Agreement being signed with the Department.

C3 Questions during the assessment period

The Department can respond to general questions about the assessment process but will not provide specific details relating to the status or progress of individual applications while applications are being assessed.

C4 Notification of outcomes

The Department will advise all applicants of the outcome of the grant funding process, including whether their application was successful, unsuccessful or ineligible via the email address nominated on the application form.

As a guide, the Department aims to advise applicants of the grant funding outcome within 14 weeks of the closing of a grant round.

C5 Feedback

The Department will advise all applicants on the outcome of an application for funding and at that time will provide details on how to seek feedback. The Department will aim to ensure all feedback provided is constructive.

PART D – OTHER THINGS THE APPLICANT SHOULD KNOW

D1 Grant Guidelines

The ABA Beneficial Grant Guidelines provide further information on:

- Eligibility criteria
- Project Agreements, grant management and reporting
- Risk management and compliance (including insurance)
- Monitoring and evaluation
- Qualifications and licencing
- Complaints processes
- Ombudsman
- Conflicts of interest
- Taxation issues

D2 Draft Project Agreement

When an application is submitted, applicants will be asked to confirm that, if their application is successful, they will accept the terms of the Project Agreement. A draft Grant Agreement is available on the [GrantConnect](#) which can be navigated to from the [web page](#).

PART E – APPLICATION CHECKLIST

Before an applicant submits an application, it is recommended the following checklist be used to ensure the application is complete and contains the information needed for the application and assessment process.

Before submitting an application

| | |
|--|--|
| | Your proposals is for the benefit of Aboriginal residents of the NT. |
| | Eligibility requirements set out in the ABA Beneficial Grant Guidelines are met, in particular, sections 2.10 to 2.13.2. Note: State and Territory governments are ineligible to apply for the August 2019 round. |
| | The preferences for promotion of Indigenous participation have been considered, being opportunity for: <ul style="list-style-type: none"> • Aboriginal controlled organisations based in the NT. • Indigenous funded positions. |
| | The proposal has been discussed with the ABA Team or a member of the Department’s Regional Network. |
| | Proposal are strengthened by attaching letters of support from stakeholders that will benefit from the project and/or other complimentary service providers, and/or mainstream funding bodies that confirm that the project isn’t their responsibility. |
| | If the proposal relates to business investment then the applicant is required to consult with IBA and complete the relevant form available from the GrantConnect and ABA web page for submission with your application |
| | If the proposal relates to land acquisition or management, or agriculture, the applicant is required to consult with ILSC and complete the relevant form available from the GrantConnect and ABA web page for submission with your application |
| | It is advisable that the applicant does not have any outstanding acquittals of ABA funding. |
| | If the applicant has multiple projects, each is presented on a separate application form. |
| | For projects that request funding of over \$250,000, a project management plan must be provided– review the guidance in this Application Kit. |

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| | Applicants wishing to submit business proposals that request funding of over \$250,000 must submit a business plan. The submission of a business plan will result in a Project Management Plan not being required – review the guidance in the Selection Criteria section of this Application Kit and the ABA Grant Guidelines. |
| | If an applicant’s proposal includes the purchase of equipment then the applicant is required to provide quotes with your application. Quotes must not be more than 12 months old. |
| | Applicants that do not have a current Funding Agreement with the Department must demonstrate financial viability. See the relevant section of this application kit for more information. |
| | All applications should declare issues of governance, litigation or proceedings against the applicant when completing the application form. |
| | Applicants are required to submit a proposed budget for the life of the project in the template provided on GrantConnect and ABA web page . |
| | For proposals that relate to developing assets on Aboriginal land, such as land covered by the ALRA, a formal form of tenure should be obtained, such as section 19 lease under the ALRA. Applicants should either confirm the lease is in place or where an application is at in the process of securing a lease. |
| | The following documents have been read and understood: <ul style="list-style-type: none"> • ABA Beneficial Grant Guidelines. • This Application Kit. |
| | The assessment criteria have been addressed. |
| | The draft Project Agreement available on the web page has been read. |
| | If the applicant has a current PM&C Project Agreement, the Provider Reference Number will need to be entered into the application form. The ‘Provider Reference Number’ can be found on the PM&C Project Agreement. |